

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
DOCKET NO. 1:20-cv-00319-FDW

SHANNON PATRICE ROYAL,
for AMAD, a minor,

Plaintiff,

vs.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security¹

Defendant.

ORDER

THIS MATTER is before the Court on the Consent Motion to Dismiss (Doc. No. 11) filed by Plaintiff's counsel. In the motion, Plaintiff requests dismissal with prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure so that the claimant may submit a new application. For the reasons stated in the motion, to which defense counsel consents, it is GRANTED.

IT IS THEREFORE ORDERED that the Motion to Dismiss (Doc. No. 11) is GRANTED, and this matter is DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

Signed: August 31, 2021



Frank D. Whitney
United States District Judge

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25 (d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted for Andrew Saul as the defendant. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).